

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REVISED
AGENDA FOR REGULAR COUNCIL MEETING

August 14, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
August 13, 2012
9:00 a.m.

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION BY POLICE CHAPLAIN CARLOS FLORES

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

- 1. EL PASO BRANCH NAACP DAY**
- 2. ROSIE SILVA DAY**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

NOTICE

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.
30 Minutes total is allotted for speakers.
Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of August 7, 2012 and the Special City Council Meeting of August 1, 2012 (Budget Wrap up) and the Special City Council Meeting of August 4, 2012 (Neighborhood Summit).
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a General Aviation Commercial Ground Lease by and between the City of El Paso ("Lessor") and Ameristar Jet Charter, Inc. ("Lessee") covering the following described property: All of Lot 2A, Block 4, El Paso International Airport Tracts, Unit 10, consisting of approximately 76,888 square feet and all of Lot 2B, Block 4, El Paso International Airport Tract, Unit 10, consisting of approximately 72,027 square feet, for a total of approximately 148,915 square feet of real property and 14,481 square feet of improvements, City of El Paso, El Paso County, Texas, municipally known and numbered as 1820 American Drive, El Paso, Texas.

(All Districts) [Airport, Monica Lombrana, (915-780-4724)]

3B. That the City of El Paso hereby requests the Sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code the following described parcels:

1. 0.32 acre, more or less, (Tract 10-F), being a portion of Tract 10-A, Block 33, Ysleta Grant, El Paso County, Texas, as described in Volume 1757, Page 609, Deed Records of El Paso County, Texas.
2. A portion of Lot 5-A, Block 25, Ysleta Grant, an Addition to the City of El Paso, El Paso County, Texas, as described in Volume 2074, Page 217, Official Records of El Paso County, Texas.
3. Lot 4, Block 1, Linda Vista Gardens, as described in Volume 982, Page 541, Deed Records of El Paso County, Texas, SAVE & EXCEPT however that certain 0.143 acre, as described in Volume 993, Page 132, Deed Records of El Paso County, Texas.
4. All that certain tract of land being fractional Lots 23 and 24, Block P, Garden Subdivision, an Addition to the City of El Paso, El Paso County, Texas, as described in Volume 415, Page 269, Deed Records of El Paso County, Texas; SAVE & EXCEPT however, the following:

- a) that certain portion described in Volume 857, Page 339, Deed Records of El Paso County, Texas; and
 - b) that certain portion described in Volume 984, Page 445, Deed Records of El Paso County, Texas.
5. 0.144 acre, more or less, situated in the Ysleta Grant, an Addition to the City of El Paso, being more particularly described in Volume 1276, Page 295, Deed Records of El Paso County, Texas aka Lot B.

(All Districts) [City Attorney's Office, Theresa Cullen, (915) 541-4550]

- 3C.** That the sale and service of alcoholic beverages by Lava Entertainment Group, LLC, in the closed portions of City rights-of-way on Baltimore Avenue, Cincinnati Avenue and the alley between Baltimore and Cincinnati Avenue between Mesa Street and Stanton Street from 12:00 p.m. Saturday, September 1, 2012, to 2:00 a.m. Sunday, September 2, 2012, in conjunction with the Orange River Fiesta, is a permissible activity. (NESV12-00027)

(Districts 1 and 8) [City Development, Mirian Spencer, (915) 541-4056]

- 3D.** That the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State owned Montana Avenue (US 62/180) and Steve Petro Drive (US 180) during the Second Annual Oryx Challenge on Sunday, September 16, 2012, an event scheduled to exceed four hours in length and found by the City to serve a public purpose. (LPAR12-00035) **(Districts 4 and 5)**

[City Development, Mirian Spencer, (915) 541-4050]

- 3E.** That the City Council approves the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be reappointed/or appointed as directors of the District:

Reappointment

George Salom, Jr.

Adam Frank

Mike McQueen

Jorge Hernandez

Bill Burton

Eric Pearson

Appointment

Jon Law

(District 8) [City Development, Mathew McElroy, (915) 541-4193]

- 3F.** That the City Manager be authorized to execute a First Amendment to HOME Purchase and Development Agreement between the City of El Paso and Tierra Del Sol Housing Corporation; authorizes the City Manager to execute any and all documents related to the Agreement; upon the City Attorney's approval; and amends the First-Time Homebuyers New Construction Program Guidelines (Self-Help Component) - Summerlin Subdivision by increasing the maximum amount of purchasing financing assistance to qualifying low-to-moderate income homebuyers under the Program.

(District 4) [Community and Human Development, William Lilly, (915) 541-4643]

- 3G.** That the City Manager be authorized to sign a Developer Participation Agreement between the City of El Paso and Hunt Communities GP, LLC for the design and construction of the Median Landscape Improvements for Paseo del Este Boulevard at Southview Drive, at no cost to the City. **(District 6)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3H.** That the City Manager be authorized to sign Consent to Assignment Contract from Granberry Supply Corp. dba HosePower USA to Masthead Industries, Inc. dba HosePower USA with respect to the City of El Paso's contract No. 2010-123 (High Pressure Coupled Rental Hose Line, Hose Machines Rental and Field Service).

(All Districts)

[General Services, Stuart Ed, (915) 621-6822]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 3I.** That the Mayor authorizes the City Manager to sign a Interlocal Agreement and License Agreement between the City of El Paso and Texas Parks and Wildlife Department, political subdivisions of the State of Texas to provide trailheads that will be located on City property and will provide access into the Franklin Mountain State Park for the benefit of the Citizens of El Paso and visitors to the region.

(Districts 1 and 4) [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

- 3J.** That City Council ratifies Department of State Health Services (DSHS) Contract No. 2011-038670 for the CPS-Laboratory Response Network ("LRN")–Public Health Emergency Preparedness ("PHEP") program, in the amount of \$208,125 to allow the City to support the CDC Cooperative Agreement Work Plan for PHEP; and, that the City Manager be authorized to sign and submit the amendment identified as DSHS Contract No. 2011-038670-001A for the LRN-PHEP program, to extend the project for one month, to extend the equipment purchase date, and to add funds in the amount of \$14,846 to cover operational costs for that additional month, and that the City Manager be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications, upon review by the City Attorney's Office. Matching funds are required in the amount of \$1,650, and the match shall be provided by the City on an in-kind basis. **(All Districts)**

[Public Health, Michael Hill, (915) 771-5702]

- 3K.** That the City Manager be authorized to exercise the City's option to extend the lease between the City and the County of El Paso for use of the facilities located at 4505 Alberta for one year. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

4. BOARD APPOINTMENTS:

- 4A.** Irma Chavez-Rodriguez to the Retired and Senior Volunteer Program Advisory Council by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

- 4B.** Paul D. Gilcrease to the Board of Directors for the Tax Increment Reinvestment Zone No. 6 by Representative Susie Byrd, District 2.

[Representative Susie Byrd, (915) 541-4996]

- 4C.** Celia Corral to the Community Development Steering Committee by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4515]

5. NOTICE OF CAMPAIGN CONTRIBUTIONS:

For notation only pursuant to Section 2.92.110 of the City Code: receipt of campaign contributions: Ike Monty \$500; Harold Hahn \$500; and The Law Office of Ruth Reyes \$500.

[Representative Emma Acosta, (915) 541-4515]

6. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A) **(All Districts)** [Tax Office, Leo Fierro, Jr., (915) 541-4369]

REGULAR AGENDA - INTRODUCTIONS

7. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.

- 7A.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed to convey a small tract of land consisting of 0.0482 acre of city land under the jurisdiction of the El Paso Water Utilities Public Service Board, to the adjacent homeowner, Ruben Luera, Jr., and spouse Matilde Luera, located adjacent to Marvin Drive and Buntline Road in Far Eastern El Paso County, Texas, authorizing the City Manager to sign any and all necessary documentation to complete the conveyance. **[El Paso County]**
[El Paso Water Utilities, Marcela Navarrete (915) 594-5614]
- 7B.** An Ordinance amending Title 9 (Health and Safety) Chapter 9.52 (Fire Prevention Code), Section 9.52.120 (Chapter 27, Hazardous Materials-General Provisions, Amended) to recover all labor charges necessary to mitigate HazMat Incidents. The penalty as provided in Section 9.52.030 of the El Paso City Code **(All Districts)**
[Fire, Otto Drozd, (915) 485-5605]
- 7C.** An Ordinance authorizing the City Manager to sign a lease with the Transmountain Optimist Club for the lease of 4.69 acres of a portion of Blocks 78, 79, and 80 and the closed adjacent streets and alleys in Tobin Memorial Park, an addition to the City of El Paso, El Paso, Texas according to the map on file in Book 15, Page 17, Plat records of El Paso County, Texas and a portion of Tract 9B, Section 10, Block 81, Township 2, Texas & Pacific Railroad Company surveys municipally known as 8801 Railroad Drive, El Paso, Texas in the amount of \$10.00 per annum. **(District 4)**
[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

PUBLIC HEARING WILL BE HELD ON AUGUST 21, 2012, FOR ITEMS 7A – 7C

- 7D.** An Ordinance to correct an error in Ordinance No. 017768 which changed the zoning from R-F (Ranch and Farm) to C-2 (Commercial) and imposed a condition on a portion of Tract 3, Block 10, Boothville Subdivision, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8623 North Loop Drive. Applicant: Aseo, Inc. PZRZ11-00059 **(District 7)**
[City Development, Andrew Salloum, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 4, 2012, FOR ITEM 7D

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

8. DEPARTMENT OF TRANSPORTATION:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2010-237 (Herbicide Spraying) with Evergreen Lawn Service for two additional years pursuant to the provisions of an award approved by the City Council on August 24, 2010. The extended contract period will be from September 1, 2012 to August 31, 2014.

Department:	Department of Transportation
Award to:	Evergreen Lawn Service El Paso, TX
Option:	2 Years
Annual Estimated Amount:	\$361,967.41
Total Estimated Amount:	\$723,934.82 (2 Years)
Account No.:	32010155 – 502221 – 40403
Funding Source:	Street Medians - Environmental Services
Districts:	All

This is a Best Value, service contract
[Department of Transportation, Ted Marquez, (915) 621-6814]
[Financial Services, Bruce D. Collins, (915) 541-4313]

9. ENGINEERING AND CONSTRUCTION MANAGEMENT:

9A. 1. Discussion and action to award Solicitation No. 2012-248 for EPIA Taxiway "L" Reconstruction and Radius Geometry of Taxiway "J" & "K" Connectors to CF Jordan Construction LLC, for a total estimated amount of \$14,767,443.

Department:	Engineering and Construction Management
Award to:	CF Jordan Construction LLC
Base Bid I:	\$ 9,572,685
Base Bid II:	\$ 2,389,531
Option No. I:	\$ 1,735,709
Option No II:	\$ 1,069,518
Total Estimated Award:	\$14,767,443
Time for Completion:	410 Consecutive Calendar Days
Funding Source:	Passenger Facility Charge
District:	2

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are

necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering and Construction Management Department and El Paso International Airport Department recommend award as indicated to the lowest responsive and responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

2. Discussion and action that the City Manager be authorized to sign the Agreement for Professional Services Construction Management by and between the City of El Paso and ECM INTERNATIONAL, INC., a Texas Corporation, for a project known as "EPIA TAXIWAY "L" RECONSTRUCTION AND GEOMETRY OF TAXIWAY "J" AND "K" CONNECTORS" for an amount not to exceed \$565,022.93 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$615,022.93. **(District 2)**

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 9B.** Discussion and action on the request that the Engineering and Construction Management Department be authorized to issue a Purchase Order to The PlayWell Group, a contractor under the BuyBoard, Contract #346-10, for playground equipment for the following parks: Veterans Park, Riverside Park, Ponsford Park, Pacific Park, Arlington Park. Total estimated expenditures are \$272,763.05.

PlayPower LT Farmington, Inc., a contractor under the BuyBoard, Contract #346-10, for the following parks: Carlos Bombach Park, Lancaster Park, Tierra Del Este 62. Total estimated expenditures are \$169,678.35.

Exerplay, Inc., a contractor under the BuyBoard, Contract #346-10, for the following parks: Vista Del Valle Park, Skyline Youth Park, Sal Berroteran Park, Pavo Real Park, Alethea Park, Reynolds Median #1, Reynolds Median #2, Arbor Green Park, Summit – Fillmore Park, McCarthy Park. Total estimated expenditures are \$292,776.66.

(All Districts) [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 9C.** Discussion and action to award Solicitation No. 2012-156 for Montoya Heights Drainage Improvements Phase 3 to Saab Site Contractors, L.P., for a total estimated amount of \$952,885.58.

Department:	Engineering and Construction Management
Award to:	Saab Site Contractors, L.P.
Base Bid:	\$952,885.58
Time for Completion:	195 consecutive calendar days
Funding Source:	2004 Certificates of Obligation
District:	1

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering and Construction Management Department recommends award as indicated to the lowest responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

10. GENERAL SERVICES:

- 10A.** Discussion and action on the award of Solicitation No. 2012-236 (Janitorial Services – City Hall, Fire Facilities, Museum and MSC NW Corral) to Eagle Janitorial Service, Care Free Janitorial Services and Star-Clean Maintenance for an initial term estimated award of \$790,148.88.

Department:	General Services
Award to: Vendor 1	Eagle Janitorial Service
	El Paso, TX
Items:	Item 1
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$144,948.96
Initial Term Estimated Award:	\$434,846.88 (3 Years)
Total Estimated Award:	\$724,744.80 (5 Years)

Department:	General Services
Award to: Vendor 2	Care Free Janitorial Services
	El Paso, TX
Items:	Item 2, 3, 5, 6 and 8
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$ 83,040
Initial Term Estimated Award:	\$249,120 (3 Years)
Total Estimated Award:	\$415,200 (5 Years)

Department:	General Services
Award to: Vendor 3	Star-Clean Maintenance
	El Paso, TX
Items:	Item 4
Initial Term:	3 Years
Option:	2 Years
Annual Estimated Award:	\$17,646
Initial Term Estimated Award:	\$52,938 (3 Years)
Total Estimated Award:	\$88,230(5 Years)

Initial Term Estimated Award:	\$790,148.88 (3 years)
Total Estimated Award:	\$1,316,914.80 (5 years)
Account No.:	31010327 – 502206 – 01101

Funding Source: General Service Fund - Janitorial
Districts: **All**

Item 7 was submitted at identical prices by Care Free Janitorial Services and Lucy's Cleaning Services. The General Services Department and Financial Services Purchasing Division request that the Mayor draw lots on these offers to determine award.

This is a low bid, service contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Eagle Janitorial Service, Care Free Janitorial Services and Star-Clean Maintenance, the lowest responsive, responsible bidders.

[General Services, Stuart Ed, (915) 621-6822]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 10B.** Discussion and action on the award of Solicitation No. 2012-093 (Vehicle Radiator & Tank Repairs and Services) to Emmett Radiator Service, Inc. for an initial term estimated award of \$300,000.

Department: General Services
Award to: Emmett Radiator Service, Inc.
El Paso, TX
Items: All
Initial Term: 3 Years
Option: 2 Years
Annual Estimated Award: \$100,000
Initial Term Estimated Award: \$300,000 (3 Years)
Total Estimated Award: \$500,000 (5 Years)
Account No.: 37370510 – 504412 – 45202 or
37370510 – 503125 – 45202
Funding Source: General Services – Internal Service Fund
Districts: **All**

This is a Best Value, services contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Emmett Radiator Service, Inc., the sole responsive, responsible bidder.

[General Services, Stuart Ed, (915) 621-6822]

[Financial Services, Bruce D. Collins, (915) 541-4313]

11. POLICE:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue Purchase Order to G4S Secure Solutions (USA) Inc., a contractor under Cooperative Purchasing Program GSA Contract, Schedule 84, GS-07F-0382K to provide prisoner booking, transportation, and watch services for the El Paso Police Department. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Department: Police

Award to:	G4S Secure Solutions (USA) Inc
	Albuquerque, NM
Total Estimated Award:	\$600,000
Account No.:	99010273 – 01101 – 502215
Funding Source:	General Fund Non-Departmental – Outside Contracts
Reference No.:	2012-304
Districts:	All

This is a Cooperative, service contract.
 [Police, Robert E. Feidner, (915) 564-7100]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

12. PUBLIC HEALTH:

Discussion and action that the City Manager or designee be authorized to sign and submit Department of State Health Services (DSHS) Contract No. 2013-041082 in the amount of \$2,799,574 so that the City can provide certain health services through the following programs:

2013-041082-001	Preparedness and Prevention Community Preparedness Section/Laboratory Response N;
2013-041082-002	Tuberculosis Prevention and Control – State;
2013-041082-003	CPS-Laboratory Response Network – PHEP;
2013-041082-004	Tuberculosis Prevention and Control – Federal;
2013-041082-005	HIV Surveillance – Federal Core;
2013-041082-006	STD – HIV;
2013-041082-007	Public Health Emergency Preparedness (PHEP);
2013-041082-008	Infectious Disease Control Unit/FLU-LAB;
2013-041082-009	Immunization Branch – Locals;
2013-041082-010	RLSS/Local Public Health System – PnP

and that the City Manager or designee be authorized to sign any amendments thereto to extend the project for up to twelve months, to make adjustments to the contract program budget that do not change the contract amount, and to sign all related certifications. Matching funds are required from the City in the amount of \$471,788, program income is required from the City in the amount of \$112,477, and an in-kind match of \$90,719 shall be provided by the City. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

REGULAR AGENDA – PUBLIC HEARINGS/OTHER BUSINESS

13. CITY MANAGER’S OFFICE:

- 13A.** An Ordinance ordering a Bond Election to be held in the City of El Paso, Texas, on November 6, 2012 making provisions for the conduct of the Election and resolving other matters incident and related to such election. **(All Districts)**
 [City Manager’s Office, William Studer, (915) 541-4252]
- 13B.** An Ordinance ordering a special election to be held in the City of El Paso, Texas on November 6, 2012 for a venue project and imposing hotel occupancy tax, making provisions for the conduct of the election, and resolving other matters incident and related to such election. **(All Districts)** [City Manager’s Office, William Studer, (915) 541-4252]

- 13C.** Discussion and action on a resolution to establish a Bond Overview Advisory Committee (BOAC) to review the progress of voter approved 2012 Quality of Life Bond Issue Projects and to provide oversight and feedback to City staff with regard to project expenditures and implementation. **(All Districts)**

[City Manager's Office, William Studer, (915) 541-4252]

14. OFFICE OF MANAGEMENT AND BUDGET:

Second Public Hearing on the City of El Paso's proposed Fiscal Year 2013 property tax increase. [City Manager, Office of Management and Budget, Lynly Leeper, (915) 541-4777]

REGULAR AGENDA – OTHER BUSINESS

15. CITY DEVELOPMENT:

Discussion and action on a Resolution appointing the initial Board of Directors for the Monticello Municipal Management District No. 1 and setting the term for each board appointment. This resolution does not constitute the city's consent to the creation of the District. **(All Districts)** [City Development, Mathew McElroy, (915) 541-4193]

16. PARKS AND RECREATION:

Discussion and action on a Resolution that the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update annual budget and all assessments shall remain the same as described in Ordinance No. 016603. **(District 1)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

17. CITY MANAGER:

City Manager's report of current events and issues:

- 17A.** Presentation and discussion on status of the City Employees' Pension Fund.
[City Manager's Office/ Office of Management and Budget, Lynly Leeper, (915) 541-4777]

- 17B.** Presentation and discussion on status of the Fire and Police Pension Fund.
[City Manager's Office/ Office of Management and Budget, Lynly Leeper, (915) 541-4777]

18. MAYOR AND COUNCIL:

Discussion and action to direct staff to investigate potential historic designation of the Five Points West Historical District. [Representative Cortney Niland, (915) 541-4268]

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.)

The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Maria De Jesus Reyes vs. The City of El Paso, et al; Cause No. 2012-DCV04306 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX2.** El Paso Entertainment, Inc., et al., vs. City of El Paso, Texas; Docket No. 12-76 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX3.** Clear Channel Outdoor, Inc., vs. The City of El Paso; Cause No. 2009-3939 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX4.** Clear Channel Outdoor, Inc., vs. The City of El Paso, et. al.; Cause No. 3:12-CV-00301
(551.071) [City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX5.** Mazie's L.P. and Whitney Properties, L.P. vs. City of El Paso et. al.; Cause No. 2008-2582
(551.071) [City Attorney's Office, Kenneth Krohn (915) 541-4550]
- EX6.** City of El Paso, Texas vs. Osteo-Imaging, et al.; Cause No. 2012-DCV03352 (551.071)
[City Attorney's Office, Kenneth Krohn (915) 541-4550]

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY THURSDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>